

MINUTES
NAHBA QUARTERLY TELEPHONE CONFERENCE
TUESDAY, OCTOBER 31, 2006

Attendance:

Jimmy Isonhood, Chairman, Mississippi DOT
John Vance, Mississippi DOT
John Garner, Florida DOT
Juanice Hagan, Florida DOT
Lane Patton, FHWA-Arizona
Greg Wood, Missouri DOT
Joyce Musick, Missouri DOT
Clyde Johnson, TBE Group
Norm Snead, FHWA-Wyoming
Sarah Lee, Ohio DOT
Rod Boehm, Tennessee DOT
Myron Laible, OAAA
Bill Wade, FHWA-Florida
Janis Gramatins, FHWA-Washington
Gerald Solomon, FHWA-Washington
Cathy O'Hara, FHWA-Washington
Robin Broils-Cox, FHWA-Washington
Marshall Wainwright, FHWA-Washington
Bob Black, FHWA-Washington
Vic O'Terrell, FHWA-Washington
Jan Strough, Idaho, DOT
Bill Jonson, Scenic America
Barbara Wessinger, South Carolina DOT
Scott Wheeler, North Carolina DOT

Jimmy convened the meeting and thanked everyone for their participation. The following is an overview of the issues discussed.

1. South Carolina Pilot Program – Barbara Wessinger provided an update on South Carolina's application to FHWA for a pilot project requiring waivers to allow the modification of nonconforming billboards on Interstates 26 and 95 in exchange for the surrender of two nonconforming signs in the State. Staff is currently answering questions raised by FHWA and are hopeful no additional problems will come up. Several state representatives on the teleconference indicated their states were interested in piggy-backing on the South Carolina project. Janis Gramatins explained that FHWA is sensitive to the issues being addressed by the pilot project but explained that FHWA will want to establish a track record with the South Carolina project before looking at projects from other states.

2. Summary of recent NAHBA Board actions – Jimmy Isonhood gave an oversight of the NAHBA Board meeting held by telephone on October 20, 2006. Actions taken include:

- (a) Approval of a Resolution to establish three standing committees of NAHBA: Commercial Area Designation; Maintenance/Nonconforming Issues; and Administrative. Wendy LeStarge has agreed to serve as chairman of the Commercial Area Designation committee and Keith Melvin has agreed to chair the Maintenance and Nonconforming Issues committee. The Board is currently accepting recommendations for a chair for the Administrative committee.
- (b) Approval of a Resolution to create a committee to serve under the Board to be designated Committee for Model Rules. Kerry Yoakum was approved as the first chairman of the committee. This committee will review various state and federal regulations for the purpose of drafting model regulations for the use and guidance of the membership.
- (c) Modifications to NAHBA's By-Laws. The Board will work on proposed modifications and be prepared to present to the membership by June 2007 for approval.

(3) Status on the storage of FHWA scanned documents – Jimmy Isonhood reported that the Mississippi DOT has agreed to house the OAC archived documents scanned from FHWA's files and will provide an Internet link to the NAHBA membership.

(4) Proposed legislation by Congress – Jimmy Isonhood reported a bill regarding hurricane destroyed billboards is before Congress but he does not have a great deal of information on it. He is currently working to gather information requested by Scenic America regarding destruction of nonconforming billboards in Mississippi from Hurricane Katrina.

(5) Update on Neutral Stakeholder Meetings – Jerry Solomon reported that the response has been excellent with over 1,500 comments made since the initial publication and hundreds of people participating in public meetings. The oversight committee will meet with the consultant on November 21st. The consultant's report is due by the end of the current year. The report will be published and comments will be requested following publication.

(6) Outdoor Advertising training course – Marshall Wainwright reported that course development is to begin in mid-December. Jimmy Isonhood commented that TBR will be meeting in Washington in January and wondered if it would be good to get comments from technical councils at that meeting before course development began. Marshall's initial reaction was that a delay might be possible but he would have to look into the issue and get back with Jimmy. NAHBA, through a committee chaired by Barbara Wessinger, has presented comments to Marshall on the training course and Cathy O'Hara requested

that NAHBA continue this process as the state comments are very important to FHWA since this course is being developed for use by the states.

(7) FHWA process reviews – Cathy O’Hara recently completed an FHWA review of the Oklahoma OAC program and gave a brief oversight of their review. She noted that stewardship and process are two areas of concentration as they look to ensure effective control is in place. Clyde Johson added that FHWA is looking for substantial compliance by the states. Cathy added her office is developing a chart of when oversights have been conducted in the states. Florida, Missouri and Idaho indicated in the teleconference they have had FHWA reviews of their OAC programs since 1991. Clyde Johnson suggested FHWA look at developing a blanket process review format and provide it to the Division offices. Cathy indicated she was planning to do that using the Oklahoma review as the model. Clyde volunteered to assist with the blanket review document. John Garner asked how the OAC process review will fit in with the Program Delivery Improvement Tool (PDIT) currently being developed by the states through AASHTO and FHWA. Janis indicated that the process review is part of PDIT, and John asked that careful coordination be given so the two fit together and look at efficiency.

(8) January 2006 Guidance document on outdoor advertising terminology and inventory considerations – Juanice Hagan indicated this issue was discussed at the June 15, 2006 teleconference. The NAHBA Board continues to be concerned that the document, as written, could be perceived as being written from an industry perspective; conveys the impression that states are doing content-based regulation, and contains too many details for multiple states. Jimmy Isonhood, Rod Boehm and John Garner further indicated their concerns that the courts could misinterpret the document as being federal direction rather than federal guidance. Following discussion, it was determined that NAHBA should collect comments and provide them to Cathy O’Hara.

(9) AASHTO Technical Council on Outdoor Advertising Control – Jimmy Isonhood noted that the AASHTO OAC Technical Council will hold a teleconference in early December 2006 to identify issues to present to the Executive Board of the Subcommittee for developing issues for the AASHTO R/W and Utilities Conference to be held in Spring 2007. NAHBA believes this Technical Council is a critical step to bring the OAC program into the forefront with AASHTO and elevate the voice and mission of NAHBA. Terry Sampson, Right of Way Director for Missouri, chairs the Council. Members wishing to serve on the Technical Council should notify Jimmy Isonhood. Cathy O’Hara noted that the Council should also partner with Scenic Byways.

(10) NAHBA Website – Jimmy Isonhood noted that improvements to the website have been made since the 2006 Conference and many positive comments have been made by the membership. Jimmy thanked Barbara Wessinger for her hard work on this project and indicated that Wendy LeStarge will work with Barbara on further improvements to the site.

(11) 2007 NAHBA Conference – Jimmy Isonhood noted that plans are still being worked on for the 2007 Conference and information will be posted on the web site in the near future.

(12) Update on the Florida 2004 Hurricane issue – Bill Wade of the FHWA Florida Division reported a resolution between Florida DOT and FHWA has been reached regarding nonconforming signs destroyed during the 2004 hurricanes, and asked John Garner to briefly explain the resolution. John noted there are two parts to the resolution: (a) Florida will undertake a revision of its rule on destruction of a nonconforming sign to make it more enforceable. The rule revision must go through an administrative rule process. (b) FDOT has agreed to do projects on Interstate-75 which will include landscaping and the removal of nonconforming signs. \$15 Million has been earmarked by FDOT over a 5 year period for the purchase of nonconforming signs. The goal is to buy nonconforming signs where improvements to the aesthetics of the corridor can be achieved. FDOT's initial steps will be (a) to contract with a landscape architect to do an overall study of the I-75 corridor between the Georgia state line and the Florida Turnpike to focus on areas for highway beautification and (b) to secure from permit holders along the corridor nonconforming signs they are willing to have purchased.

Teleconference was ended at 3:20 p.m.

Juanice M. Hagan
Secretary-Treasurer